

February 16, 2003

Ms. Gwen Knittweis
North Delta Project Manager
California Department Of Water Resources
1400 Ninth Street
Sacramento, California 95814

Dear Gwen,

As a resident of the Franklin Pond I am quite concerned that the flood control alternatives presented at your meeting on the North Delta Model provided no meaningful flood control assistance for our area. In fact some of the alternatives discussed at the January 9, 2003 meeting will aggravate our situation.

Wouldn't it be better to consider a wider range of alternatives; especially in light of the Aiken's case, which signaled a change in the legal systems approach to flood suits? I am sure you know the Aiken's case sought to determine liability for flood damages based on whether the victims were in the historical flood plain. A simple look at ground elevations or the 1907 flood is enough to prove the Franklin Pond is not a historical flood area. Our house is at elevation 15 while much of the area behind the Thornton levee is at elevation 1. The flood of 1907 only reached a height of 13.9' at Benson's Ferry; not enough to flood our property.

The alternatives you presented appeared to be based on preconceived projects rather than a goal such as lowering the flood level at Benson's Ferry by six feet. I believe that a goal based approach is much more appropriate considering the Aiken's case and the California Environmental Quality Act. The alternatives to be considered should start with the pre 1859 conditions, to show a baseline and include the 1907 flood because of the available data and its significance in the design of the levee system.

Sincerely,

A handwritten signature in dark ink, appearing to read 'W. G. Kirkham', followed by a long horizontal flourish.

William G. Kirkham
6600 Twin Cities Road
Elk Grove, California